

**METROPOLITAN NASHVILLE-DAVIDSON COUNTY
TRANSPORTATION LICENSING COMMISSION**

Minutes of

December 18, 2007

The Metropolitan Nashville-Davidson County Transportation Licensing Commission (the "Commission") met in regular session on this date at the Metropolitan Courthouse. The Commissioners present were Chair Helen Rogers, Vice Chair Duane McGray and Commissioners Jennifer Brundige, Ray Dayal, Tom Turner and James Utley (6). Also attending were Metro Legal advisor Jon Michael; Commission staff members Walter Lawhorn, Milton Bowling and Lisa Steelman; and Brian McQuiston, Director-Executive Secretary to the Commission.

Vice Chair Duane McGray called the meeting to order and led the Pledge of Allegiance. He read the Notice of Appeal statement, advising of the right to appeal decisions of the Transportation Licensing Commission. He then turned the meeting over to **Chair Helen Rogers**.

The minutes of the November 27, 2007 meeting were approved.

WRECKER DRIVER DISCIPLINARY HEARING

Wrecker driver Thomas Gulley appeared before the Commission. MNPD Officer William Hitchcox presented a complaint, stating that he had stopped Mr. Gulley, who was driving an unloaded tow truck, on August 23, 2007. He stated that he had issued Mr. Gulley a citation for speeding. He stated that Mr. Gulley had turned on his yellow flashing lights as he drove away, and had traveled about a half mile before turning them off. Officer Hitchcox added that he had then called Custom Towing and verified that Mr. Gulley had not been dispatched on a call. **Chair Helen Rogers** asked Mr. Gulley to respond. Mr. Gulley acknowledged that he had been speeding, although he did not know how fast he was driving. Mr. Gulley stated that he had pulled over, but because he was not able to get completely off the roadway he had turned on his flashing lights for safety reasons. He stated that he had taken the Traffic School class for the speeding violation. **Vice Chair Duane McGray** noted that Mr. Gulley had a copy of Officer Hitchcox' complaint to the Commission, and asked him to tell the Commission if there were specific points in the complaint with which he disagreed. Mr. Gulley answered that he did not believe that he was driving as fast as the ticket indicated. He added that he had turned on his flashing hazard lights when he pulled over, and that he had left them on to get safely back onto the roadway. He added that the flashers are not strobes, and are only visible from the back of the truck, so that Officer Hitchcox may not have been able to see them until the truck drove away. He denied being rude to Officer Hitchcox. **Vice Chair McGray** noted that the Metro Code requires that the wrecker operator may only use flashing lights when standing on the roadway for the purpose of removing a vehicle and while actually towing a vehicle. Mr. Gulley stated that he would use the lights if he needed them for his personal safety. Officer Hitchcox clarified that Mr. Gulley had turned on his regular hazard lights when he stopped on the edge of the roadway, and restated that Mr. Gulley had turned on his yellow

rotating wrecker lights when he pulled away after getting the citation. He added that he worked traffic crashes, and described how he had positioned his police car with warning lights to shield Mr. Gulley's truck. Director McQuiston asked if Mr. Gulley had been directed to stop at that specific location; Officer Hitchcox responded that Mr. Gulley had pulled over on his own. **Commissioner James Utley** moved to suspend Mr. Gulley's wrecker driver permit for one week, effective no later than January 15, 2008. **Vice Chair McGray** seconded, and the motion passed (5-0). Mr. Gulley surrendered his permit.

WRECKER COMPANY DISCIPLINARY HEARING: WEST NASHVILLE WRECKER SERVICE

Larry Boggs, general manager of West Nashville Wrecker Service, appeared before the Commission with Tom Tedford of United Road Towing and counsel Michael McGovern. **Chair Helen Rogers** noted that there were two separate complaints to be presented.

MNPD Officers Tim Reid, Brandon Frith and Leonard Cato appeared. Officer Reid reported that the officers had responded to the Bell Hollow apartment complex shortly after midnight on the morning of July 18, 2007. When they arrived, they had found West Nashville tow trucks staging vehicles towed from the apartment complex on Target property nearby, and several people from the complex running back and forth between the apartments and the Target parking lot. He added that he knew from previous observations that West Nashville had done the same thing at other locations – picking up vehicles from apartment complexes and dropping them at other properties nearby, so that they could return to get as many vehicles as possible. He stated that the officers found several vehicles on the far side of the Target lot that had been towed and dropped; and that they had issued citations for six of these. **Chair Rogers** asked if the officers had received any complaints from Target; Officer Reid responded that they had been closed at the time, and that he knew of no complaint from Target. He stated that he had also seen West Nashville drivers towing cars from the Turtle Creek Apartments in the past, and dropping them at the Firestone property nearby. Mr. McGovern asked if Officer Reid knew who had originated the call to come to the Bell Hollow apartments; Officer Reid stated that he did not. Officer Cato stated that he had twice observed West Nashville towing cars from the Peppertree apartment complex, and dropping them at the Dollar Tree nearby. He stated that he had addressed the problem at the time with a representative of West Nashville Wrecker Service; but that the company had apparently not discontinued the practice. Mr. McGovern noted that this incident had occurred in July, and asked why it had taken so long to come to the Commission. Director McQuiston responded that the incident had not been reported to the Commission; the staff became aware of the incident after Inspector Bowling had discovered that West Nashville had paid the drivers' fines in lieu of appearing in environmental court on August 27. After this, the Commission had conducted an investigation to determine if this was an isolated incident or an indicator of a general practice by the company. Mr. McGovern asked the officers if they were aware of any similar incidents since July; they responded that they were not. Mr. Boggs stated that the three incidents described – at the Bell Hollow, Turtle Creek, and Peppertree apartment complexes – were the only cases of staging off the property, and that this practice was no longer being followed. He talked about problems apartment managers had in trying to avoid confrontations with tenants, and stated that staging had been done at the insistence of these managers. He stated that following these incidents West Nashville Wrecker Service had informed managers that they would no longer stage vehicles away from the apartment complex property, and that as a result several apartment complexes had canceled their

business with the company. Officer Cato stated that, in the incidents he had observed, the staging of vehicles had not reduced the potential for confrontations, but that the large numbers of people from the apartment complexes surrounding tow truck drivers at the nearby properties had actually placed these drivers at risk. Mr. McGovern argued that the longer a tow truck driver was on the apartment complex property, the greater the risk for confrontation. Officer Reid stated that the tow truck drivers were not simply taking the vehicles to the Target lot in order to reduce risk while filling out paperwork on the vehicles, but in order to drop them and return to get more vehicles as quickly as possible. Mr. McGovern stated that the apartment complex property manager had insisted that the cars be removed in that manner. Officer Reid responded that the wrecker companies and drivers were responsible to meet the restrictions in the Code, and that one of these restrictions was not to drop a vehicle that belongs to someone else in an unsecured location. **Vice Chair Duane McGray** asked for clarification on the number of vehicles West Nashville Wrecker Service had been requested to tow from the apartment complex. Mr. Boggs answered that the manager usually asked for 20-25 vehicles to be towed. **Vice Chair McGray** asked why so many vehicles had to be towed at once, after midnight, when there was no immediate safety issue involved; and why the company could not tow a few vehicles at a time back to the company lot. Mr. Boggs answered that only two tow trucks had been sent to the apartment complex. **Vice Chair McGray** stated that this incident could have been averted if the tow trucks had towed the vehicles back to West Nashville's lot. Director McQuiston commented that the Commission understood the safety and business concerns of wrecker companies and their drivers as they related to trespass towing; and that it also recognized the legitimate concerns of private property owners who want trespassers and illegally parked vehicles removed, but who occasionally want towing companies to assume responsibilities that appropriately belong to the property owners. He stressed that the law clearly protects the rights of vehicle owners, so that their property may not be taken without following very strict measures. **Chair Rogers** added that dropping vehicles at another property also raised significant concerns about liability. **Commissioner Jennifer Brundige** stated that West Nashville Wrecker Service had been on probation from August until the end of November, and that it was fortunate for the company that this issue had not come before the Commission during their probation period. Mr. McGovern restated that the apartment manager had insisted on the vehicles being towed to the Target lot; and added that vehicles had not been left unattended, because the apartment manager had been at the Target lot with the vehicles. He stated that the Code set a fine as the penalty for the violations, and that the company had paid that penalty; so there was no basis for further disciplinary action by the Commission. **Chair Rogers** advised Mr. McGovern not to tell the Commission what it could not do. Officer Reid stated that the vehicles had been unattended, and that the apartment manager had been on the opposite end of the Target property, where he could not even observe the vehicles. Inspector Bowling stated that the staging of vehicles was not about safety, but about making money by towing more vehicles. He added that a wrecker driver who was concerned about his personal safety could leave the vehicle, and would certainly not tow it to a nearby parking lot. The Commission decided to hear the second complaint before making a determination on the first complaint. **Commissioner Tom Turner** had to leave the meeting.

Inspector Bowling presented the second complaint. He stated that he had learned from an informant that a West Nashville driver had told the informant that he had pre-signed tow slips in a green folder. Inspector Bowling stated that on the night of October 30, 2007 he followed three West Nashville wreckers to the Charter Village apartment complex, where they set up with two snatch tow trucks and one rollback. He stated that he stopped one of the snatch

trucks, which was loaded, and asked driver James Denny to show him the authorization to tow. He stated that Mr. Denny presented a tow slip which was signed, but contained no other information. He stated that he asked the driver if he had any other pre-signed tow slips; and that Mr. Denny told him that he did not. Inspector Bowling stated that he saw a green folder on the passenger seat, and found thirteen other pre-signed tow slips inside. He stated that he stopped the other loaded snatch truck, operated by Charles Duke, Jr., who did not have a wrecker driver permit, and found two pre-signed tow slips in Mr. Duke's possession. He stated that he had allowed the drivers to complete the forms for the vehicles already loaded on the tow trucks, and had told Mr. Duke that he could not drive the wrecker; it was later picked up by the company. John Graham, owner of Chapman's Wrecker Service, appeared. He stated that he had been at West Nashville Wrecker Service to pick up a vehicle. He had talked to a driver, who told Mr. Graham that he was picking up some pre-signed tow slips so that he could "go and steal some cars". Mr. McGovern stated that he would like to rebut the hearsay, and requested a postponement. **Chair Rogers** asked Director McQuiston if West Nashville had been provided notice; Director McQuiston stated that they had been informed of the hearing and the charges. Mr. McGovern stated that he had requested documents related to the charges, but had not been told about the witness, who was a competitor of West Nashville Wrecker Service. **Vice Chair McGray** asked why an argument about hearsay was appropriate, because Mr. Denny was not being charged for his statements. **Chair Rogers** stated that the issue of what Mr. Denny had said was not at issue, because it had only resulted in Inspector Bowling's investigation. Inspector Bowling added that he had not charged or cited Mr. Denny. Mr. McGovern expressed concern that an employee of the company was being accused of stealing cars. **Chair Rogers** stated that the Commission was not considering this statement as a charge, but was concerned about what Inspector Bowling had found as a result of the information: the use of pre-signed tow slips. Inspector Bowling provided copies of the pre-signed tow slips. **Vice Chair McGray** asked if anyone was disputing that there were pre-signed tow slips being used. Mr. McGovern responded that, when tow trucks appear at an apartment complex, the manager will sign the tow slip; the driver will then hook up the vehicle and complete the rest of the tow slip. If a vehicle had been moved in the meantime, then the tow slip would not be completed. He noted that the slips were from a number of other apartment complexes and pointed out that the date on one of the slips was over a year old. He concluded that the tow slips discovered by Inspector Bowling were old unused tow slips which had been inadvertently left in the truck when the vehicles for which they had been signed were not towed. He added that, following this incident, the company had issued warning letters to both drivers, telling them that they must destroy any unused tow slips, not retain them. He provided copies of these letters. **Chair Rogers** asked if this was simply a coincidence – that someone had heard the driver talking earlier about getting pre-signed tow slips, and then had been caught with the slips, which were now being referred to as old slips inadvertently kept by the driver. Mr. McGovern argued that some of the tow slips were current slips for the vehicles to be towed at the apartment complex, but the others were old. **Chair Rogers** stated that many showed no dates. She told Mr. McGovern that she also wanted to respond to his complaint about not being given notice about the charges. She referred to the notice mailed to the company in November, and read from a letter Mr. McGovern had sent on December 10, 2007 requesting documentary evidence related to the charge. She noted that this information had been provided, and that he had not requested information on witnesses. Inspector Bowling clarified that there was also a pre-signed tow slip from the Charter Village complex in the folder found in Mr. Denny's possession. **Commissioner James Utley** stated that the Transportation Licensing Inspector had personally found the pre-signed tow slips and observed the towing of the vehicles, so

that the arguments about hearsay or witnesses were not at issue. Mr. McGovern stated that he did not believe the simple possession of a pre-signed tow slip was a violation of any law or regulation. Director McQuiston agreed that there were still some loopholes in the regulation of nonconsent towing from private property, and stated that the Commission would act to eliminate these with additional Rules. He suggested that the Commission consider taking no action on the second complaint, but instead establish new requirements in the future to address the issue directly. **Vice Chair McGray** agreed that the basis for a decision was not present in the current code or rules.

Vice Chair McGray moved that no action be taken on the second complaint charge, and that the staff and Commission develop rules to address the issue. **Commissioner Utley** seconded, and the motion passed (4-0).

On the complaint charge related to dropping vehicles at the Target lot, **Vice Chair McGray** moved to place West Nashville Wrecker Service on probation for three months for violation of the Metropolitan Code. **Commissioner Brundige** seconded, and the motion passed (4-0).

WRECKER COMPANY DISCIPLINARY HEARING: NASHVILLE TOWING AND RECOVERY

Inspector Bowling stated that he had received information on November 23, 2007 that Nashville Towing and Recovery was towing vehicles from a Kroger parking lot, and that they might be towing illegally. He stated that he went to the lot and observed NTR tow trucks loading two vehicles; he asked driver Michael Marchlewski to produce his tow slips. He stated that he collected six tow slips with no vehicle information; and learned that, in addition to the two vehicles being loaded, the company had already towed four vehicles back to the company storage lot without completing information on those vehicles. He stated that he had cited the other driver, Matthew Crow, for operating a wrecker without a wrecker driver permit, and for operating a wrecker without a wrecker vehicle decal. **Chair Helen Rogers** clarified that the drivers had already towed four vehicles without getting tow slips completed with vehicle information. Inspector Bowling agreed, and stated that the company sent someone with a wrecker permit to retrieve the wrecker Mr. Crow had been operating. Darrell Greer, of Nashville Towing and Recovery, appeared before the Commission, and introduced John Stancil, manager of the automotive division. Mr. Stancil stated that the company had received a fax from the Kroger property manager, asking that the vehicles be towed. He stated that the drivers were sent to pick up the vehicles, and that they did not "stage" them, but brought them directly back to the company storage lot. He stated that he now understood that they were not to hook up to the vehicles until they had the tow slips completed and signed. **Chair Rogers** asked why the company had allowed an unlicensed driver to operate a wrecker; Mr. Stancil responded that the driver was a part-time operator who worked for another wrecker company, and NTR assumed that he had his permit. The next morning, the driver was sent to the Commission to get his permit. , **Vice Chair Duane McGray** stated that companies should maintain files on all their drivers, to ensure that their permits remain current. **Commissioner Ray Dayal** moved to place Nashville Towing and Recovery on probation for six months, and require the company to provide verification on the permits of all drivers. There was no second, and the motion failed. **Vice Chair McGray** moved to place Nashville Towing and Recovery on probation for three months, and to require the company to provide copies of the current wrecker driver permits of all drivers. **Commissioner Dayal** seconded, and the motion passed (4-0).

PUBLIC HEARING: WRECKER RATES

Director McQuiston summarized Commission actions since 2002 as they related to the rates wrecker companies were authorized to charge for nonconsent tows, storage and other services. He stated that the Commission had passed a motion in July 2006 to prepare an amendment increasing rates specified in the wrecker ordinance. These increases had been drafted as a bill, but the bill had not been forwarded by the Mayor to the Metro Council. He explained that, due to continued increases in operating costs, the new proposal being presented by the Davidson County Zone Towing Association included some increases to the rates passed by the Commission in July 2006. In addition, he stated that the staff was recommending a new rate to apply to the towing of heavier vehicles from private property. Randy Bailey, vice president of the DCZTA, appeared. He explained the rising costs of fuel, equipment, insurance and taxes affecting wrecker companies. He referred to the rate proposal already provided to Commission members, and itemized the proposed increases to those rates previously approved in July 2006. **Vice Chair Duane McGray** asked if the use of air bags was included in the proposal. Director McQuiston stated that the ordinance did not contain a separate additional fee for the use of air bags. Mr. Bailey noted that the ordinance did not allow charges for extra services which are sometimes allowed in other cities, but that these had been averaged into the labor rates. Discussion followed on whether other equipment or labor costs could be included. Director McQuiston noted that the rates in the ordinance were generally all-inclusive; there were some provisions for collection of labor charges and for recovering the costs for contracted services and equipment, but these were very specific and did not include additional charges for the use of company-owned equipment. Mr. Bailey stated that the proposal also addressed a new rate for towing of large trucks from private property. The proposed changes to the current rates authorized in the ordinance were as follows:

6.80.550 Fees charged.

Rate Schedule for Nonconsent Towing at the Direction of a Law Enforcement Officer

A. Vehicles 7,000 Pounds GVWR and Under:

1. Towing (No additional fees may be charged for using other equipment, including dollies, trailers, lifts, slim-jims, go-jacks, winching, or for mileage*).
 - a. Vehicles towed to the Metro Impound Lot to and within the ~~I-265~~ I-40/I-24/I-65 Loop; ~~\$65~~ \$85
 - b. Vehicles towed to Metro Impound Lot from outside the ~~I-265~~ I-40/I-24/I-65 Loop, to and including Briley Parkway/White Bridge Road/Woodmont Avenue/Thompson Lane Circle; ~~\$75~~ \$95
 - c. Vehicles towed to Metro Impound Lot from outside the Briley Parkway/White Bridge Road/Woodmont Avenue/Thompson Lane circle, to the Davidson County line; ~~\$85~~ \$105
 - d. Vehicles towed to company lot at the direction of a police officer:
 - i. Vehicles involved in an accident..... ~~\$85~~ \$105
 - ii. All other vehicles..... ~~\$75~~ \$95

B. Vehicles Over 7,000 Pounds GVWR:

1. Base Rates. Base rates apply in the following situations: "Towed vehicles" means those vehicles which

can be driven, but are towed to the lot at the request of the owner or police officer. "Driven vehicles" means those vehicles driven to the lot by a wrecker company driver at the request of the owner or police officer. "Wrecked vehicles" means those vehicles that cannot be driven, and must be towed to the lot.

Table 6.80.550(B)(1)

	Towed	Driven	Wrecked
Straight Trucks and Vans:	\$150 <u>\$180</u>	\$105 <u>\$135</u>	\$170 <u>\$200</u>
Tandem-Axle, Not Loaded:	\$175 <u>\$225</u>	\$105 <u>\$155</u>	\$195 <u>\$245</u>
Tandem-Axle, Loaded:	\$200 <u>\$250</u>	\$105 <u>\$155</u>	\$220 <u>\$275</u>
Recreational Vehicles: 26 Feet & Under in Length:	\$140 <u>\$170</u>	\$105 <u>\$135</u>	\$160 <u>\$190</u>
Over 26 Feet in Length:	\$155 <u>\$205</u>	\$105 <u>\$155</u>	\$175 <u>\$225</u>
Buses (Large):	\$200 <u>\$250</u>	\$105 <u>\$155</u>	\$225 <u>\$275</u>

2. Additional Fees.

a. Hourly rate for necessary preparation or removal of bumpers, drive shafts before towing is possible, and reconnection after towing is one hundred dollars per hour.

b. Labor rates after first hour for wrecker and driver:

- i. Class B wrecker ~~\$150 per hour~~ **\$175 per hour**
- ii. Class C wrecker ~~\$250 per hour~~ **\$275 per hour**
- iii. Class C rotator, if needed..... ~~\$300 per hour~~ **\$350 per hour**

C. Other Rates.

1. Recovery of vehicle submerged in water..... ~~\$105.00~~ **\$125.00**

2. Storage rates, per day (after first two hours on the lot):

- a. Motorcycle, ATV..... ~~\$10.00~~ **\$15.00**
- b. Mower, miscellaneous equipment..... ~~\$10.00~~ **\$15.00**
- c. Car..... ~~\$15.00~~ **\$20.00**
- d. Tractor..... ~~\$20.00~~ **\$25.00**
- e. Motor home, 26 feet and under in length..... ~~\$25.00~~ **\$30.00**
- f. Motor home, more than 26 feet in length..... ~~\$30.00~~ **\$35.00**
- g. Tractor-trailer, commercial bus, house trailer..... ~~\$30.00~~ **\$35.00**
- h. Boat, under 19 feet in length..... ~~\$15.00~~ **\$20.00**
- i. Boat, 19 to 26 feet in length..... ~~\$25.00~~ **\$30.00**
- j. Boat, more than 26 feet in length..... ~~\$30.00~~ **\$35.00**

G. All licensees who engage in the business of towing vehicles from public or private property shall post a notice on each vehicle, in letters not

less than two inches high and appearing in a legible manner on the boom or rear of the wrecker as follows:

“FEE TO DROP VEHICLE
BEFORE DEPARTING: ~~\$35.00~~ **\$45.00**”

If the owner or operator of the vehicle is present and removes the vehicle to be towed from the premises before it is connected to the towing vehicle, the owner or operator shall not be charged any fee. If the owner or operator of the vehicle is present after the towing vehicle has been connected to the vehicle to be towed, the vehicle shall not be towed, but the owner or operator of the vehicle shall be liable for a reasonable fee not to exceed ~~thirty-five~~ **forty-five** dollars, in lieu of towing, provided the owner or operator of the vehicle forthwith removes the vehicle from the premises. A vehicle shall be deemed connected if every procedure required to secure the vehicle to the wrecker or wrecker equipment so that the vehicle may be safely towed has been completed at the time the owner or operator arrives, including the attachment of any safety chains.

H. Rate Schedule for Nonconsent Towing from Private Property

Any towing and storage firm engaged in the business of non-consent towing shall not charge the owner of any towed vehicle or ~~person~~ **personal** property in excess of ~~sixty-five dollars~~ **the following rates.** for the removal of a vehicle or personal property or in excess of fifteen dollars per day for storage fees.

1. Towing:

a. Vehicles under seven thousand pounds GVWR.....\$85.00 maximum

b. Vehicles over seven thousand pounds GVWR:

i. Length of 26 feet and under.....\$180.00 maximum

ii. Length over 26 feet.....\$300.00 maximum

The **towing** fee of ~~sixty-five dollars~~ shall be all inclusive; no additional fees may be charged for using dollies, trailers, lifts, slim jims or any other equipment or service, or for mileage.

2. Storage. The maximum fee for storage of any vehicle removed from private property is twenty dollars per day. No storage fee may be charged for vehicles stored two hours or less.

I. In addition to the rates authorized above, wrecker companies are authorized to charge a one-time processing fee of fifteen dollars for any vehicle remaining in storage on the company lot for ten days, to offset direct costs for notification of the owner or lienholder as required by state law.

Chair Helen Rogers opened the floor for public comment.

Tom Tedford, representing West Nashville Wrecker Service and Darrell Greer of Nashville Towing and Recovery, appeared. Mr. Tedford explained that the two companies operated heavy Class C wreckers, and were often called upon to remove overturned tractor-trailers and other major incidents. He stated that this required additional and expensive equipment, including air bags costing thousands of dollars each. He urged the Commission to include a rate for the use of air bags as an exceptional circumstance. Director McQuiston interjected, and requested that the Commission be provided with a proposal for such a rate. Mr. Greer added that the State of Tennessee was currently considering measures to improve the quick clearance of major incidents. He stated that the wrecker companies would do whatever it takes to meet a new requirement for faster clearance, but that this could not be done at the

hourly rates. He suggested consideration of a rate based on price-per-pound, as supported by insurance companies, for such major incidents. **Vice Chair McGray** asked the companies to submit appropriate and specific proposals. Director McQuiston explained that the State Department of Safety and the Department of Transportation had been working to develop new guidelines for quicker clearance of major highway incidents, and that Mr. Greer had been involved in those discussions for some time. The director added that Metro Nashville was probably ready to move quickly on implementation of new measures; but he expected the state to take the lead, so that any local programs and requirements could be in concert with those being developed for statewide implementation. Mr. Tedford stated that he would provide proposed rates for the use of air bags.

There were no other public comments.

Vice Chair McGray expressed concern about delaying the amendment process to address the air bags issue. Director McQuiston responded that the drafting of the bill would take some time, and that any decision made at a January meeting could be inserted into the bill without delaying the process. **Vice Chair McGray** moved to approve the proposed changes, with the caveat the issue of exceptional services be considered at the next meeting and included into any proposed amendment to the ordinance. **Commissioner Jennifer Brundige** seconded, and the motion passed (4-0).

APPLICATIONS FOR WRECKER DRIVER PERMITS

John Belcher: Mr. Belcher appeared. **Chair Helen Rogers** and **Vice Chair Duane McGray** noted that he had failed to disclose all of his arrests on his application. Mr. Belcher acknowledged that he had been arrested on three charges that he did not disclose. **Vice Chair McGray** moved to disapprove the application. **Commissioner Ray Dayal** seconded, and the motion passed (4-0).

Buddy Eddy: Mr. Eddy appeared with Jim Mitchell, owner of Dad's Towing. **Chair Helen Rogers** noted that he had been arrested for felony sale of marijuana in 2000, and then had been arrested for possession in 2006. She asked Mr. Eddy if he could provide anything to convince the Commission that he was not still using drugs. Mr. Eddy asked to withdraw his application until he could provide such evidence. Mr. Mitchell told the Commission that Mr. Eddy had been working for him for some time, and that he would follow up to ensure that Mr. Eddy was tested for drugs.

SCHEDULE FOR 2008

The Commission approved the following schedule for 2008:

January 22

February 26

March 25

April 22

May 27

June 24 (Annual Public Hearing – Emergency Wrecker Zones)

July 22

August 26

September 23 (Election of Officers)

October 28

November 25 (Annual Public Hearing – Applications for Additional Taxicab Certificates and Permits)

December 16 (to be held one week early)

OTHER BUSINESS

Vice Chair Duane McGray asked that the Commission schedule a special Commission work session for early February, in addition to the regular February meeting. **Chair Helen Rogers** agreed, and stated that the specific date and time would be announced at the January meeting.

There was no further business, and the meeting was adjourned.

ATTEST:

APPROVED:

Brian E. McQuiston
Director-Executive Secretary

Helen S. Rogers
Chair